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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,444	11/26/2003	Jishnu Bhattacharjee	M-15291 US	1195

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EXAMINER

NGUYEN, PATRICIA T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/724,444

Applicant(s)

BHATTACHARJEE ET AL.

Examiner

Patricia T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7, 12-14, 16 and 21-28 is/are rejected.
- 7) ☒ Claim(s) 3-5, 8-11, 15 and 17-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6, 7, 12, 16, 21, 23, 24, 25, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Segallis et al., U.S. Patent # 6,417,730 B1.

Figs 1 and 5 of Segallis et al. discloses a circuit comprising: amplifiers 11, 12, 13 can be read as an automatic gain control core circuit; demodulator 31, sensor 15 can be read as a power detector circuit; Digital control loop 19 can be read as processor adapted to control the gain of the automatic gain control core circuit; A/D 18 can be read as an analog-to-digital converter.

Regarding claims 6, 16, in Fig. 5, demodulator 31a-31d can be read as a correlator, filter amplifier sensor 15a'-15d' can be read as a low pass filter.

Regarding claims 7, 23, 26 see spec. col. 4, lines 12 to col. 5, line 50 and col 6, lines 21-44.

Claims 1, 7, 12, 14, 21, 25, 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kopmeiners et al., U.S. Patent # 5,917,865.

Fig. 1 of Kopmeiners et al. discloses a circuit comprising: amplifier 110 can be read as an automatic gain control core circuit; peak detect 132 can be read as a power

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detector circuit; analyzer 134, processor 135, gain control 136 can be read as processor adapted to control the gain of the automatic gain control core circuit.

Regarding claims 7, 12, 21, 25 see spec. col. 4, line 2 to col. 6, line 57.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6, 7, 12, 13, 16, 21- 23, 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al., U.S. Patent # 6,843,597 B1.

Fig. 1 of Li et al. discloses a circuit comprising: variable amplifier 16 can be read as an automatic gain control core circuit; quadrature downconverter 17, 18, 19, power meters 24, 25, components 26-29 can be read as a power detector circuit; components 30-39, 41-43 can be read as processor adapted to control the gain of the automatic gain control core circuit.

Regarding claims 6, 16, components 17, 18, 19 can be read as a correlator, LPF 27 can be read as a low pass filter.

Regarding claims 7, 22, 23, 26, and 27 see spec. col. 4, line 8 to col. 5, line 50.

### ***Allowable Subject Matter***

Claims 3-5, 8-11, 15, 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents # 5,901,347 and # 4,870,370 contain some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia T. Nguyen whose telephone number is (703) 308-1927. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 703-309-4940. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTN  
March 7, 2005

**PATRICIA NGUYEN**  
**PRIMARY EXAMINER**

*Patricia Nguyen*